

APPENDIX B

APPENDIX B**(Chart Of Reasons On Each Count Why Named Plaintiffs Do Not Have Standing, Typicality, Or Adequacy)**

	Count I (Fraud)	Count II (unjust enrichment)	Count III (Illinois Consumer Fraud and Deceptive Business Practices Act)	Count IV (Arizona Consumer Fraud Act)
Seeking Class Certification over Count?	No	Yes. See separate unjust enrichment chart.	Yes	Yes
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)			Steamfitters	Gonzales and Steamfitters
Standing?				
Typicality ("Unique Defense")/Adequacy			<p>No – continued purchasing after met with counsel on Nov. 7, 2017</p> <p>(See Def.'s Opp'n, at 39-42)</p>	<p>Gonzales – No</p> <ul style="list-style-type: none"> - Excluded from class as a beneficiary of a government-funded entity - Never purchased a drug from Walgreens in AZ - Continued purchasing after met with counsel on Feb. 24, 2017 <p>Steamfitters – No</p> <ul style="list-style-type: none"> - Continued purchasing after met with counsel on Nov. 7, 2017 - Cannot bring a claim just because beneficiary purchased in AZ <p>(See Def.'s Opp'n, at 38-42, 44-46)</p>

	Count V-VII (California Unfair Competition Law)	Count VIII (Colorado Consumer Protection Act)	Count IX (Connecticut Unfair Trade Practices Act)	Count X (Delaware Consumer Fraud Act)
Seeking Class Certification over Count?	Yes	No	Yes	Yes
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)	IBEW		IUOE	IUOE
Standing?			No – only Connecticut residents or those injured in Connecticut can be a class representative under CUTPA (See Def.'s Opp'n, at 8)	
Typicality ("Unique Defense")/Adequacy	No – continued purchasing after met with counsel on Dec. 21, 2016 IBEW was aware as early as 2008 that its PBM considered retail price and U&C to be the same and that it was not providing discount card prices to IBEW's beneficiaries Cannot bring a claim just because beneficiary purchased in CA (See Def.'s Opp'n, at 38-43)		No – continued purchasing after met with counsel in Sept. 2017 Cannot bring a claim just because beneficiary purchased in CT (See Def.'s Opp'n, at 38-42)	No – continued purchasing after met with counsel in Sept. 2017 Cannot bring a claim just because beneficiary purchased in DE (See Def.'s Opp'n, at 38-42)

	Count XI (Florida Deceptive and Unfair Trade Practices Act)	Count XII-XIII (Georgia consumer fraud statutes)	Count XIV (Louisiana Unfair Trade Practices and Consumer Protection Law)	Count XV (Massachusetts Consumer Protection Law)
Seeking Class Certification over Count?	Yes	No	No	Yes
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)	Russo, IBEW, IUOE, Steamfitters			Bullard and IUOE
Standing?				
Typicality ("Unique Defense")/Adequacy	<p>No – the four proposed class representatives continued purchasing after each met with counsel on Dec, 14, 2016, Dec. 21, 2016, Sept. 2017, and Nov. 7, 2017, respectively</p> <p>Russo has no damages for any qualifying purchase</p> <p>IBEW was aware as early as 2008 that its PBM considered retail price and U&C to be the same and that it was not providing discount card prices to IBEW's beneficiaries</p> <p>Fund Plaintiffs cannot bring a claim just because beneficiary purchased in FL</p> <p>(See Def.'s Opp'n, at 38-44)</p>			<p>No – continued purchasing after met with counsel on May 10, 2017 (Bullard) and in September 2017 (IUOE)</p> <p>Bullard did not have an allegedly offending purchase in MA until after filing the Complaint</p> <p>IUOE cannot bring a claim just because beneficiary purchased in MA</p> <p>(See Def.'s Opp'n, at 38-42, 47)</p>

	Count XVI-XVIII (Minnesota consumer fraud statutes)	Count XIX (Nevada Deceptive Trade Practices Act)	Count XX (New Mexico Unfair Practices Act)	Count XXI (New York GBL § 349)
Seeking Class Certification over Count?	No. Counts have been dismissed.	No	No. Count has been dismissed.	Yes
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)				Bullard and IUOE
Standing?				
Typicality ("Unique Defense")/Adequacy				No – continued purchasing after met with counsel on May 10, 2017 (Bullard) and in September 2017 (IUOE) (See Def.'s Opp'n, at 39-42)

	Count XXII (North Carolina Unfair and Deceptive Trade Practices Act)	Count XXIII (Ohio Deceptive Trade Practices Act)	Count XXIV (Pennsylvania Unfair Trade Practices and Consumer Protection Law)	Count XXV (South Carolina Unfair Trade Practices Act)
Seeking Class Certification over Count?	Yes	Yes	Yes	No
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)	IBEW	IBEW	IUOE	
Standing?	No – only NC consumers protected under statute (See Def.'s Opp'n, at 8-9)	No – no evidence presented of lost sales or reputational harm, as required under the Act (See Def.'s Opp'n, at 9)		
Typicality (“Unique Defense”)/Adequacy	No – continued purchasing after met with counsel on Dec. 21, 2016 IBEW was aware as early as 2008 that its PBM considered retail price and U&C to be the same and that it was not providing discount card prices to IBEW's beneficiaries Cannot bring a claim just because beneficiary purchased in NC (See Def.'s Opp'n, at 38-43)	No – continued purchasing after met with counsel on Dec. 21, 2016 IBEW was aware as early as 2008 that its PBM considered retail price and U&C to be the same and that it was not providing discount card prices to IBEW's beneficiaries (See Def.'s Opp'n, at 39-43)	No – continued purchasing after met with counsel in September 2017 (IUOE) Cannot bring a claim just because beneficiary purchased in PA (See Def.'s Opp'n, at 38-42)	

	Count XXVI (Texas Deceptive Trade Practices Consumer Protection Act)	Count XXVII (Wisconsin Deceptive Trade Practices Act)	Count XXVIII (Declaratory and Injunctive Relief)	
Seeking Class Certification over Count?	No. Count has been dismissed.	Yes	Yes	
Proposed Class Representative(s) (See Pls.' Mem., at 3 n.2)		Gonzales	All Plaintiffs except Gonzales	
Standing?			No for reasons stated in brief (See Def.'s Opp'n, at 49-50)	
Typicality ("Unique Defense")/Adequacy		<p>No</p> <ul style="list-style-type: none"> - Excluded from class as a beneficiary of a government-funded entity - Has no damages for any purchases of qualifying drugs from Walgreens in WI - Continued purchasing after met with counsel on Feb. 24, 2017 <p>(See Def.'s Opp'n, at 39-42, 44-47)</p>		